

EXECUTIVE SUMMARY

In 1997 the Resources Agency released an analysis which found that California's array of ocean and coastal managed area designations (such as Reserves, State Reserves, Refuges, State Parks, and Natural Reserves) is complex and often confusing. The 18 marine or estuarine and 6 terrestrial classifications and sub-classifications for state-managed areas along the coast have evolved over the last 50 years on a case-by-case basis through legislative and administrative actions and by public referendum.

The analysis recommended that the state evaluate the array of designations to develop a more effective and less complicated statewide system of ocean and coastal managed areas. It further recommended developing a comprehensive program, with clear criteria for creating, administering, and enforcing management measures in these areas. To address this issue, the Resources Agency convened the State Interagency Marine Managed Areas Workgroup to better define and evaluate state marine managed area classifications.

This report, and its recommendations for improving the organizational system and management of the array of state marine managed areas (MMAs) in California, is the result of a collaborative effort by workgroup members spanning an eighteen-month period. The workgroup conducted its deliberations, where possible, in cooperation with other MMA efforts that were underway in California. One such effort was the passage of Assembly Bill 933 (Shelley, 1999), the Marine Life Protection Act, which requires the Fish and Game Commission to adopt a master plan for guiding the adoption and implementation of a Marine Life Protection Program to be established within the Department of Fish and Game. This master plan and program would focus on the protection of living marine resources and their habitats through MMAs where the extraction of such resources is prohibited or restricted in some fashion. Additionally, AB 933 calls for the completion of this report by January 2000.

The requirements of AB 933 are consistent with, and complementary to, the recommendations made in this report. The comprehensive set of findings and recommendations address such issues as designing a more manageable classification system, the site proposal and designation process, management and enforcement within designated areas, and improving public education, research, monitoring and evaluation activities.

THE ROLE OF MARINE MANAGED AREAS

MMAs can offer many benefits, including protecting habitat, species, cultural resources and water quality; enhancing recreational opportunities; and contributing to the economy through such things as increased tourism and property values. In addition, MMAs may benefit fisheries management. There is mounting evidence to suggest that certain types of marine managed areas allow exploited, resident species to recover within their borders and may enhance productivity of some species outside their borders. However, these areas should be viewed from the broader perspective as one of many management tools that can be used to protect or conserve marine species, such as measures limiting the number of vessels or types of gear, and establishing seasons or quotas. Therefore, marine managed areas can be an important tool for resource managers, but should not be viewed as the single answer to the resource protection challenges facing California.

DEFINITION OF MARINE MANAGED AREAS

In its deliberations, it was important for the interagency workgroup to first define the term "marine managed areas" and distinguish it from the more commonly known term "marine protected areas" (MPAs). The term "MPA" is typically used to describe those areas of intertidal or subtidal terrain that are reserved by law or regulation for the protection of part or all of the living resources within the defined areas. MMAs encompass a broader spectrum of management purposes, including the protection of geological, cultural and recreational resources. For this project, the workgroup chose the following definition for MMAs:

Marine managed areas are named, discrete geographic marine and estuarine areas along the California coast designated using legislative, administrative or voter initiative processes, and intended to protect, conserve or otherwise manage a variety of resources and their uses.

In this report, the interagency workgroup has also used the term "array" to describe the existing group of MMA classifications and individual sites, rather than using the more common term "system" of MMAs. The interagency workgroup determined that the term "array" more correctly describes the group of state classifications and designated MMAs in California.

CLASSIFICATION OF STATE MARINE MANAGED AREAS

The array of state MMAs in California is the result of years of designations through legislative, administrative and statewide ballot initiative actions. Designations have, for the most part, been made on a case-by-case basis or in an attempt by a single organization to represent a diversity of regions or habitats through multiple classifications. In situations when specific areas require protection, a new classification has often been developed rather than using a previously established one. As a result, there are currently 18 classifications and sub-classifications of MMAs that can be applied to the marine or estuarine environment along the California coast. Only 16 of these classifications have been used.

State MMAs are designated in California for a diversity of purposes, from protecting all living marine resources or a specified set of species to enhancing public recreation or preserving cultural resources. Classifications with similar sounding names (such as Ecological Reserve, State Reserve and Reserve) often have very different purposes. In addition, the limited number of management objectives, coupled with the large number of classifications, has resulted in an overlap in the intent of certain classifications. The State Interagency Marine Managed Areas Workgroup (Workgroup) identified these, and many other issues, which are discussed in the following analysis.

ANALYSIS OF THE STATE CLASSIFICATION SYSTEM FOR MARINE MANAGED AREAS AND RECOMMENDATIONS FOR CHANGE

The Workgroup makes a number of observations and recommendations for California's state MMAs relative to:

- Purpose and Design
- Management and Enforcement

- Public Education and Outreach
- Evaluation and Research

In each of the four sections, specific findings and associated recommendations are offered for improvements related to all California MMAs. These findings and recommendations are only summarized here, whereas the main report contains more detailed explanations. In most cases, implementing the recommendations will require legislative or administrative action. In all cases, implementing the recommendations will require inter-governmental cooperation, as well as collaboration with the public and private industry.

A. Purpose and Design

There is no overall mission, policy goal, or comprehensive program in place to guide the development of a logical and unified organizational system of state MMAs in California. This lack of purpose, direction and collaboration results in inconsistent terminology and site selection; a lack of standardized designation, research, and evaluation criteria; an inability to evaluate the effectiveness of the system; confusion over agency roles and responsibilities; and insufficient attention to funding needs.

Finding. Existing state classifications and sites do not comprise an organized system of marine managed areas in California.

Finding. There are too many state classifications for MMAs.

Finding. Goals and objectives for some classifications are too broad or unclear.

Recommendation A-1. The array of MMA classifications and the designation and management of individual sites needs to be redesigned as an organized system. A statewide mission statement and statement of objectives are a necessary first step for establishing a system of state MMAs in California.

Recommendation A-2. A new classification system for state MMAs is needed and should include, at a minimum, classifications for (1) prohibiting the extraction of living and non-living marine resources, (2) limiting the extraction of living and non-living marine resources, and (3) protecting or enhancing water quality, preserving cultural resources or enhancing or restricting recreational activities.

Table 1 (found at the end of the recommendations in the main report and summarized on the next page) identifies a recommended classification system for state MMAs in California, proposed entities to be responsible for designation and management, the purposes for each classification, proposed restrictions on human activities, and potential placement of the existing 18 classifications in the new system.

Summary of Table 1

NAME OF AREA AND DEFINITION
1. Marine (Estuarine) Reserve Protects all living and non-living marine resources from commercial and recreational exploitation, and may limit non-consumptive recreational uses that would compromise such protection.
2. Marine (Estuarine) Park Protects all living and non-living marine resources and cultural or recreational features from commercial exploitation, while allowing public use, enjoyment and education in a manner consistent with protecting resource values. Some human uses may be restricted to protect resource values.
3. Marine (Estuarine) Conservation Area Protects some living or geological marine resources (does not include cultural or recreational values) from certain commercial, recreational or a combination of commercial and recreational exploitation.
4. Marine (Estuarine) Cultural Preservation Area Protects all cultural resources from commercial or recreational exploitation.
5. Marine (Estuarine) Recreational Management Area Protects, enhances or restricts recreational opportunities while preserving basic resource values.
6. Water Quality Protection Area Protects water quality by prohibiting or limiting point source waste and thermal discharges by special conditions. Controls nonpoint source pollution to the extent practicable.

Recommendation A-3. Following implementation of Recommendations A-1 and A-2, existing MMAs should be evaluated, based upon existing levels of protection, for integration into the new system.

Recommendation A-4. In addition to the master plan for living marine resources required pursuant to AB 993 (Marine Life Protection Act; Shelley, 1999), a similar evaluation should be conducted for existing sites intended to protect or manage cultural resources, recreational values and water quality to determine their adequacy in meeting the proposed objectives of the MMA system.

Finding. There is no consistent site designation process among state agencies and the Legislature.

Recommendation A-5. Designation guidelines should be established for each classification, including a requirement that any new designations be considered within the context of existing state, federal and local sites.

Recommendation A-6. The site designation process must be made more consistent among designating entities.

Recommendation A-7. Site proposals for designating MMAs should be made more consistent.

B. Management and Enforcement

Although classification goals are sometimes identified in statute or regulation, the level of resource protection among sites within a classification may vary substantially. Agency personnel and the public are often confused about the laws, rules and regulations that apply to MMAs, especially those adjacent to a terrestrial component. Designation of sites and subsequent promulgation of regulations often occurs without adequate consideration being given to overall classification goals and objectives. This has contributed to fragmented management, poor compliance with regulations, and a lack of effective enforcement.

Finding. Individual sites within the same classification (e.g., Ecological Reserve) sometimes have substantially different levels of protection and management.

Recommendation B-1. Management of MMAs within each classification must be made more consistent throughout the MMA system to simplify the sets of rules and regulations to which users must adhere.

Finding. Enforcement is sometimes inadequate in state MMAs.

Recommendation B-2. Managing agencies should develop enforcement plans for existing MMAs (where such plans are not already in place), and proposed MMA sites should not be designated unless an approved enforcement plan exists.

C. Education and Outreach

Education and outreach related to state MMAs is limited and responsibility for these activities is distributed across many state agencies. These factors hamper the distribution of information to the public regarding the benefits of MMAs and role they can play in protecting ocean and

coastal resources. Lack of education also limits public and resource managers' understanding of the laws, rules and regulations applicable to state MMAs. In addition, there are few coordinated efforts to identify opportunities for public/private partnerships or public stewardship of MMAs, or to provide access to general information and data about ocean and coastal resources within California's MMAs.

Finding. There is inadequate communication with the public about classification goals and objectives, the benefits of MMAs, and specific site regulations.

Recommendation C-1. Public education and outreach should be better supported and coordinated among agencies involved with MMAs.

Finding. Data and information about California's state MMAs, including research and monitoring information, are not easily accessible and lack consistency.

Recommendation C-2. Data and information about California's MMAs (including past, current and proposed research and monitoring activities) should be made more consistent and readily accessible.

D. Evaluation and Research

Research in California's MMAs can provide managers with a wealth of knowledge regarding habitat functions and values, species diversity, and complex physical, biological, chemical, and socio-economic processes that affect the health of marine ecosystems. In addition, such information can be useful in determining the effectiveness of particular sites or classifications in achieving stated goals. In general, ocean and coastal scientists and managers know far less about the natural systems they work with than their terrestrial counterparts. Even basic information such as habitat distribution and species identification along the California coast is insufficient. In addition, understanding natural and human-induced factors that affect ocean ecosystem health, including MMAs, is fundamental to the process of developing sound management policies.

Finding. There are no standard criteria for evaluating the effectiveness of MMAs.

Recommendation D-1. An evaluation process and performance objectives should be established for determining the effectiveness of MMA sites and classifications in fulfilling their intended purpose.

Finding. Research and monitoring activities in state MMAs are limited and coordination of such activities is insufficient.

Recommendation D-2. Research that improves the monitoring or evaluation of state MMAs should be enhanced, encouraged and coordinated.

Recommendation D-3. General research related to California's marine resources and ecology should be encouraged and supported whenever possible.

CONCLUSION

Through a mix of legislative and administrative actions, California's array of state marine managed areas should be re-designed as a system, to more effectively protect ocean and coastal resources. This will require cooperation from the various interested parties to determine the most appropriate actions for creating such a system. The findings and recommendations in this report are intended to establish the foundation for these future actions.